

LAWRENCE A. ORGAN (SBN 175503)  
larry@civilrightsca.com  
NAVRUZ AVLONI (SBN 279556)  
navruz@civilrightsca.com  
**CALIFORNIA CIVIL RIGHTS LAW GROUP**  
332 San Anselmo Avenue  
San Anselmo, California 94960  
Telephone: 415.453.4740  
Facsimile: 415.785.7352

BARBARA I. ANTONUCCI (SBN 209039)  
bantonucci@constangy.com  
PHILIP J. SMITH (SBN 232462)  
psmith@constangy.com  
AARON M. RUTSCHMAN (SBN 288273)  
arutschman@constangy.com  
**CONSTANGY, BROOKS, SMITH &  
PROPHETE, LLP**  
351 California, Suite 200  
San Francisco, CA 94104  
Telephone: 415.918.3000

Attorneys for Defendant  
TESLA, INC., DBA TESLA MOTORS, INC.  
CITISTAFF SOLUTIONS, INC.

FENN C. HORTON III (SBN 119888)  
fhorton@pahl-mccay.com  
HELENE SIMVOULAKIS-PANOS  
(SBN 256334)  
**PAHL & MCCAY**  
225 West Santa Clara Street, Suite 1500  
San Jose, California 95113  
Telephone: 508.286.5110  
Facsimile: 408.286.5722

Attorneys for Defendant  
WEST VALLEY STAFFING GROUP

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

DEMETRIC DI-AZ, OWEN DIAZ and LAMAR  
PATTERSON, an individual

Plaintiff,

vs.

TESLA, INC. DBA TESLA MOTORS, INC.;  
CITISTAFF SOLUTIONS, INC.; WEST VALLEY  
STAFFING GROUP; CHARTWELL STAFFING  
SERVICES, INC. and DOES 1-10, inclusive,

Defendants.

CASE NO.: 3:17-cv-06748-WHO

**STIPULATION AND ORDER ALLOWING  
PLAINTIFFS TO FILE AN AMENDED  
COMPLAINT TO ADD NEW PARTY  
NEXTSOURCE, INC. AS A DEFENDANT;  
AND TO CONTINUE TRIAL DATE FROM  
MAY 13, 2019 TO OCTOBER 28, 2019, AND  
TRIAL-RELATED DEADLINES**

[Assigned to Hon. William H. Orrick]

Complaint File: October 16, 2017  
Trial Date: May 13, 2019

**STIPULATION AND ORDER ALLOWING PLAINTIFFS TO FILE AN AMENDED  
COMPLAINT; TO CONTINUE TRIAL DATE AND RELATED DEADLINES**

**STIPULATION**

Plaintiffs Demetric Di-az and Owen Diaz (collectively “Plaintiffs”), Defendant Tesla, Inc. dba Tesla Motors, Inc. (“Tesla”), Defendant CitiStaff Solutions, Inc. (“CitiStaff”) and Defendant West Valley Staffing Group (“West Valley”) (collectively the “Parties”) hereby stipulate as follows:

**WHEREAS**, on June 11, 2018 the Parties attended a court mandated mediation that did not result in a settlement;

**WHEREAS**, on October 16, 2018, the Parties attended a private mediation that did not result in a settlement;

**WHEREAS**, the parties agreed to conduct limited discovery prior to attending the June 11, 2018 court mandated mediation, and conducted limited discovery prior to the October 16, 2018 private mediation;

**Leave to Amend Complaint**

**WHEREAS**, Plaintiffs took the deposition of Monica DeLeon, a former Citistaff employee, on December 6, 2018;

**WHEREAS**, Plaintiffs seek to add nextSource, Inc. as a Defendant in this action based on new information obtained from Ms. DeLeon during her deposition;

**WHEREAS**, Plaintiffs have not previously amended their Complaint in this matter;

**WHEREAS**, Plaintiffs agree to file the attached Amended Complaint adding nextSource, Inc. as a Defendant in this matter on or before December 28, 2018 (See Amended Complaint for Damages attached as Exhibit 1);

**NOW THEREFORE**, the Parties, by and through their respective counsel, hereby stipulate and agree, and respectfully request, that the Court issue an order granting Plaintiffs leave to file the attached Amended Complaint effective December 28, 2018;

**Continuing Trial and Pre-Trial Deadlines**

**WHEREAS**, trial in this matter is set for May 13, 2019;

**WHEREAS**, the current pre-trial schedule in this matter is as follows:

- January 11, 2019: Fact discovery cutoff; expert disclosures due

STIPULATION AND ORDER ALLOWING PLAINTIFFS TO FILE AN AMENDED COMPLAINT; TO CONTINUE TRIAL DATE AND RELATED DEADLINES

- February 14, 2019: Dispositive motion hearing deadline
- February 18, 2019: Rebuttal expert disclosures due
- February 25, 2019: Expert discovery cutoff

**WHEREAS**, the Parties have not previously requested any continuances in this case and the Court has not previously continued any dates in this case;

**NOW THEREFORE**, the Parties, by and through their respective counsel, hereby stipulate and agree, and respectfully request, that the Court issue an order continuing the trial to October 28, 2019, and continuing the Pre-Trial Conference to October 1, 2019, and the pre-trial discovery and dispositive motion deadlines as follows:

- June 28, 2019: Fact discovery cutoff; expert disclosures due
- July 26, 2019: Dispositive motion hearing deadline
- July 31, 2019: Rebuttal expert disclosures due
- August 7, 2019: Expert discovery cutoff
- October 1, 2019: Pre-Trial Conference

**IT IS SO STIPULATED.**

DATED: December 14, 2018

**CALIFORNIA CIVIL RIGHTS LAW GROUP**

By: /s/ Navruz Avloni  
Lawrence A. Organ  
Navruz Avloni  
Attorneys for Plaintiffs  
DEMETRIC DI-AZ and OWEN DIAZ

DATED: December 14, 2018

**PAHL & MCCAY**

By: /s/ Helene Simvoulakos-Panos  
Fenn C. Horton III  
Helene Simvoulakos-Panos  
Attorneys for Defendant  
WEST VALLEY STAFFING GROUP

STIPULATION AND ORDER ALLOWING PLAINTIFFS TO FILE AN AMENDED COMPLAINT; AND TO CONTINUE TRIAL DATE FROM MAY 13, 2019 TO OCTOBER 28, 2019, AND TRIAL-RELATED DEADLINES

DATED: December 14, 2018

**CONSTANGY, BROOKS, SMITH & PROPHETE,  
LLP**

By: /s/ Barbara Antonucci  
Barbara Antonucci  
Attorneys for Defendant  
TESLA INC. DBA TESLA MOTORS, INC.

DATED: December 14, 2018

**CONSTANGY, BROOKS, SMITH & PROPHETE,  
LLP**

By: /s/ Barbara Antonucci  
Barbara Antonucci  
Attorneys for Defendant  
CITISTAFF SOLUTIONS, INC.

**ORDER**

Based upon the foregoing Stipulation, and for good cause appearing thereon, the Court orders as follows:

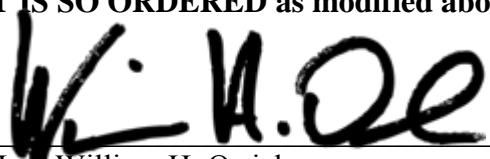
1. Plaintiffs may file the Amended Complaint for Damages adding nextSource, Inc. as a party to this action, as attached in Exhibit 1 of the Stipulation, on or before December 28, 2018;
2. The trial in this case is continued to **November 18, 2019**;
3. The Pre-Trial Conference is continued to **October 21, 2019**;
4. The pre-trial deadlines in this case are continued as follows:
  - June 28, 2019: Fact discovery cutoff; expert disclosures due
  - **August 7, 2019**: Dispositive motion hearing deadline
  - July 31, 2019: Rebuttal expert disclosures due

STIPULATION AND ORDER ALLOWING PLAINTIFFS TO FILE AN AMENDED COMPLAINT; AND TO CONTINUE TRIAL DATE FROM MAY 13, 2019 TO OCTOBER 28, 2019, AND TRIAL-RELATED DEADLINES

- August 7, 2019: Expert discovery cutoff.

**PURSUANT TO STIPULATION, IT IS SO ORDERED as modified above.**

DATED: December 20, 2018

  
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Hon. William H. Orrick

STIPULATION AND ORDER ALLOWING PLAINTIFFS TO FILE AN AMENDED COMPLAINT; AND TO CONTINUE TRIAL DATE FROM MAY 13, 2019 TO OCTOBER 28, 2019, AND TRIAL-RELATED DEADLINES